



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

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BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

RE: Delinquent Distribution Assessment Account
Duane Yardley
Water Right(s) 71-474, 71-475, 71-521, 71-1808, 71-3437

) NOTICE OF COMMENCEMENT
) OF AGENCY ACTION
)

According to Section 73-5-1(3), Utah Code Annotated (1953), all expenses for the distribution of water shall be borne pro rata by the users of water according to a schedule to be fixed by the State Engineer. You have been sent notice(s) concerning your delinquent assessment account in addition to the regular and delinquent assessment notices which have been mailed to you. The total amount due, including previous assessments and delinquent penalties, is \$180.10.

This NOTICE OF COMMENCEMENT OF AGENCY ACTION commences informal proceedings to be conducted pursuant to Rules R655-6 of the Administrative Rules of the Division of Water Rights. Section 73-5-1(3)(b), Utah Code Annotated (1953), authorizes the State Engineer to take certain actions to enforce payment of delinquent assessment accounts, including forbidding the use of water. These proceedings are intended to determine if there is any reason why the State Engineer should not exercise his statutory powers to prohibit your use of water until your assessment account is brought current.

In response to these proceedings, you may either pay your distribution assessment in full within thirty (30) days from the date of this letter or you may dispute your account assessment by filing a written response to the State Engineer within thirty (30) days from the date of this letter. If you fail to exercise either of these two options, the State Engineer may issue an ORDER forbidding you to use any water previously entitled to you under Water Right No(s) 71-470, 71-475, 71-521, 71-1808, 71-3437.

I strongly urge you to give this matter your immediate attention. Should you have questions regarding this NOTICE OF COMMENCEMENT OF AGENCY ACTION, please contact John Larsen at 538-7431 or Lee Sim, Assistant State Engineer, at 538-7380.

Dated this 26th day of October, 1995.

Sincerely,

Robert L. Morgan, P.E.
State Engineer

RLM:BW:bd

